

REMARKS*Specification and Drawing*

The Examiner contends that the specification fails to show the separately molded ring member. Applicant respectfully directs the Examiner's attention to Figures 6 and 7 wherein the separately molded ring member 82 is depicted in cross section in Figure 6 and as element 182 in Figure 7. This feature is functionally incorporated by integral molding in Figure 8 and identified as the element comprised of the walls 176 and 177. Withdrawal of the objection to the specification and drawings is therefore respectfully requested.

Claim Rejections -- U.S.C. §112

Claim 6 has been amended to incorporate an appropriate antecedent basis. Withdrawal of this objection is respectfully requested.

Claims 9 and 13 were rejected in view of the alleged failure to indicate the so called "molded ring member". This was addressed in the previous remarks and is believed to be clearly shown so as to enable a person of ordinary skill in the art to practice the invention by reference to the specification as well as to claims 6 and 7. Withdrawal of this rejection is respectfully requested.

Claim Rejections 35 U.S.C. 102 and 103

Claims 1-6 are now more clearly directed to the construction of the rib and groove construction associated with the bottom of a molded plastic bucket, in combination with the configuration of the molded plastic lid of such a bucket. The claims have been amended to point out that the groove in the bottom of the bucket is formed from two walls, one of which is positioned outside of the surface of the lateral side wall of a bucket and which fits over and against the outside face of the container lid that has been placed on the bucket. In this manner, the rim or rib, serves a multiple protective function. It provides a means for stacking a bucket over the top of the container lid and provides an overlap of the side surfaces. Thus, dust, dirt and

Banner & Witcoff, Ltd.
Ten South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone 312/463-5000

other such materials cannot filter into the region between the bottom of the bucket and the lid upon which it is stacked. It is also believed that alignment of the component parts is more easily accomplished. And finally, as explained below, the construction is distinguished from the prior art references, alone or in combination. The subject matter of claims 1-6 is particularly directed to this described construction, as depicted for example, in Figures 3 and 4 in more detail.

The remaining claims are directed more particularly to the embodiment of the invention depicted in Figures 6, 7 and 8. In particular, independent claim 7 as amended is directed to the embodiment of Figures 6 and 7. The embodiment of Figure 8 is the subject matter of new claim 14, which is newly presented.

It will be noted that the embodiments of claim 7, as depicted in Figures 6 and 7, includes an additional element associated with the cover. Thus, a cover or a lid 96 in combination with a separate ring element 82 cooperates with a bucket or container 73. Figure 7 illustrates an alternative embodiment. Figure 8 which is associated with claim 14 depicts an embodiment wherein the bucket 73 utilizes structure and features which effectively integrally mold a ring element into the bucket 73. As noted in the specification, this particular embodiment is believed to be more difficult to manufacture.

In any event, first referring to claim 1, which is an independent claim, it will be noted that the Von Holdt references discussed by the Examiner do not teach the provision of a depending rib, such as the first rib 24 in combination with the depending rib, such as the second rib 22, wherein the first rib 24 is positioned at the junction of the lateral side wall and bottom wall of the container or bucket and extends outwardly or on the outside thereof and overlaps the sidewall of the container lid. In this manner, as shown in Figure 4, for example, there is no gap or space into which dirt or dust may pass.

By contrast, in the Von Holdt references cited by the Examiner, the depending ribs, such as depicted in Figure 3 of Patent 6,257,438 are associated with a region inside the radius of the lateral side wall of the bucket. Thus, there is a significant structural distinction between the combination of references suggested by the Examiner and the subject matter as now claimed in independently presented amended claim 1.

Banner & Witcoff, Ltd.
Ten South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone 312/663-5000

As to claim 7, the Buc reference was relied upon by the Examiner. Buc, of course, does not teach a separate ring element as discussed above and depicted in the drawings of Figures 6 and 7. The separate ring element provides a means for attaching a lid to a container or bucket wherein the lid may be associated with an opening which is smaller than the opening in the bucket itself. As a consequence, the molding operation associated with the container or bucket may be simplified and the three part construction associated with claim 7 enables quick assembly of a container and lid construction. Additionally, the separate ring element which is interposed between the lid and the bucket may be color coded for example, or made from a different material or polymer or plastic to provide different characteristics desired in association with the container. For example, it may be made of a more rigid and structurally superior plastic material relative to the lid and the lid may be made from a flexible material enabling ease of removal.

The embodiment of Figure 8 provides some of these same advantages. Neither Buc or any of the other references relied upon by the Examiner disclose a bucket construction wherein with respect to claim 14, a molded plastic lid support assembly is comprised of an inwardly extending radial wall forming a peripheral attachment rib that extends radially into and cooperates with a container lid groove as claimed.

Applicant does note Figure 11 of the publication 2003/0168465 which was not relied on by the Examiner with respect to the subject matter of claim 7. This patent discloses a three part construction. However, it is noted that the means for attaching the central lid to the rim assembly 14 prime does not utilize a lateral side wall groove as presently claimed. That is, pending claim 7 calls for groove which is an outside circumferential groove, for example as depicted in Figure 6 or Figure 7 as the groove 102. It is believed that this arrangement provides a superior means for enabling removal of the cover 96 by virtue of being able to pry the cover 96 more effectively by engaging the radially extending wall 98, for example as depicted in Figure 6. Thus, the limitation of the lateral outside circumferential groove of the lid which is engageable with the peripheral attachment rib is believed distinguishes from the publication in the name of Breimon et al.


Banner & Witcoff, Ltd.
Ten South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone: 312/463-5000

Therefore, in view of the foregoing amendments and remarks, it is believed that the claims in their amended condition, are allowable. Reconsideration thereof and passage to allowance is earnestly solicited.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: June 26, 2006

By: 
Jon O. Nelson
Reg. No. 24,566

BEST AVAILABLE COPY

Banner & Witcoff, Ltd
Ten South Wacker Drive, Suite 3000
Chicago, Illinois 60606
Telephone: 312/463-5000